IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 6293 of 1999

Between:

Anantha Nageshwar Reddy, S/o. A.Ram Reddy,
Aged 40 years, Occ: Ex-Serviceman,

R/o. Gopanpally, Deverkadra Mandal,
Mahabubnagar District.

PETITIONER

AND

The Sub-Registrar,
Atmakur, Mahabubnagar District.

RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus directing the respondnet to receive and register the sale deed to be executed by the petitioner in respect of land measuring Ac.3-20gts situated in Sy. No. 177/10 of Nagaram Village, Devarkadra Mandal, Mahabubnagar District and pass

Counsel for the Petitioner: MR.VENKATA RAM REDDY PANDUGA

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORDER:

The petitioner, on the ground of ill-health, took voluntary retirement from the Indian Air Force on 31.5.1993, in lieu of which the Government of Andhra Pradesh assigned an extent of Ac.3-20 guntas in Sy. No. 177/10 situated at Nagaram village, Dewarkdra Mandal vide proceedings dates 5.12.1987. and since then he has been in possession of the same. Due to paralytic stroke and to meet the expenses of his medical treatment and education of his children, he intended to sell the land and entered into agreement of sale, but the Sub-Registrar, Atmakur, who is the Registering Authority, has refused to register the sale deed inasmuch as the sale deed schedule land is an assigned land. Therefore, the petitioner filed this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for the Revenue.

The relief sought for in this writ petition, cannot be granted for the simple reason that the sale of land allotted to the discharged or retired personnel of the Army or Air Force falls under the definition of assigned land and therefore, it cannot be alienated. Consequently, the writ petition fails and is accordingly dismissed. No order as to costs.

Elipe Dharma Rao, J.

June 9, 2005

MAS.

To

1. The Sub-Registrar,
Atmakur, Mahabubnagar District.

2. Two CCs to the Government Pleader for Revenue, A.P. High Court

Buildings, Hyderabad.

3. 2 CD copies

*Form-NIC-OGS/WP{**KRD**}*